

REMARKS

Claims 1-28 have been examined and new claims 29-36 have been added, hence, claims 1-36 are all the claims pending in the application.

Applicant thanks the Examiner for accepting the drawings filed on January 27, 2004, and acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of all certified copies of the priority documents submitted January 27, 2004.

Also, the Applicant thanks the Examiner for considering the references cited in IDS filed on August 20, 2004; December 7, 2004; and January 18, 2006.

Claim Rejections 35 U.S.C. § 101

Claims 1-14 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. By this Amendment, Applicant has amended the claims. Therefore, the Examiner is requested to withdraw the §101 rejections.

Claim Rejections 35 U.S.C. § 102

Claims 1-28 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Mercer et al. (U.S. 7,043,477 B2 hereinafter “Mercer”). Applicant respectfully traverses this rejection.

Independent claim 1 recites, *inter alia*, displaying a tree structure of the created file directories. In contrast, Mercer discloses that a user can navigate play lists of content, but it does not disclose that the file directories generated according to criteria are provided in the form of a tree structure to a user.

Therefore, independent claim 1 is patentable over Mercer at least for this reason.

Additionally, claim 3-8, 9-11, and 27 should be allowable based on their dependencies from independent claim 1.

Independent claim 2 recites, *inter alia*, copying the media files to the file directories as copied media files. The Examiner maintains that this feature is taught in Mercer by “Creating file directories based on metadata of the media files” corresponds to the directory that the user creates (col. 7, line 67; Fig. 2A; and col. 5, lines 40 - 48). The metadata corresponds to the metadata that the system obtains from the media file (col. 7, lines 1 - 2; Fig. 5; and col. 7, lines 58 to col. 8, lines 2). However, the Applicant respectfully disagrees with the Examiner’s position. In Mercer, “The HIGHMAT directory and all of the files within it may be marked as hidden by the software” (col. 22, line 42-44 of the cited invention), that corresponds to copying the media files to the file directories as copied media files. However, all of the files within the HIGHMAT directory does not include the files corresponding to a media file. Thus, it can be recognized that the HIGHMAT directory includes “accelerator files” as stated in Mercer at col. 22, lines 17-18 where, “The accelerator files exist on a medium under a top-level directory called ‘HIGHMAT’”. Also, these “accelerator files” are not media files, but are **information on the additional data for easier search for a media file**, where “accelerator files provide an improved startup experience by caching metadata from media files” (col. 21, line 16). Additionally, Mercer at col. 22 lines 18-19 discloses that the “accelerator files” include contents.HMT, nnnnnnnn.HMT, MENU.HMT, and TEXT.HMT, which is also disclosed in FIG. 15. These types of files are included in the accelerator files. (col. 22, line 14 to col. 32, line 54) Here, only the **information on the additional data of the media file** are disclosed.

Furthermore, FIG. 16 of Mercer, to which the Examiner refers, indicates a structure of CONTENTS.HMT in the accelerator files, and AUDIO FILE ENTRIES, IMAGE FILE ENTRIES, VIDEO FILE ENTRIES, which are **also information on the additional data of the media file** (please refer to TABLE A-4, TABLE A-8, TABLE A-10, TABLE A-12; col. 27, line 36 to col. 31, line 66).

Thus, because Mercer discloses copying media files based on **information on the additional data of the media file**, it fails to disclose the claimed feature of copying the media files to the file directories as copied media files.

Therefore, independent claim 2 is patentable over Mercer at least for this reason.

Additionally, claim 3-8, 12-14, and 27 should be allowable based on their dependencies from independent claim 2.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Application No.: 10/764,510

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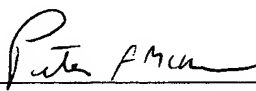
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